

ENTERED

October 30, 2017

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNIVERSAL TRUCKLOAD, INC.,

Plaintiff,

VS.

DALTON LOGISTICS, INC., *et al*,

Defendants.

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CIVIL ACTION NO. 4:15-CV-1651

ORDER

Before the Court is Defendant Dalton Logistics, Inc.'s ("Dalton") Motion to Enter Judgment (Doc. #246), Plaintiff Universal Truckload, Inc. ("Universal") Response to Dalton's Motion and Universal's Counter-Motion to Enter Judgment (Doc. #249), Dalton's Reply to Universal's Response (Doc. #266), and Defendant Helmerich & Payne International Drilling Co.'s ("H&P") Response to Universal's Counter-Motion to Enter Judgment (Doc. #273). Having considered the arguments and the applicable law, Dalton's Motion (Doc. #246) is GRANTED, and Universal's Motion is DENIED (Doc. #249).¹

On July 10, 2017, the above styled cause was called to trial. Pursuant to the verdict entered by the jury (Doc. #227) at the conclusion of this trial:

It is HEREBY ORDERED that Defendant Dalton have judgment against Plaintiff Universal in the amount of FIVE MILLION SEVEN HUNDRED THOUSAND AND NO/100 DOLLARS (\$5,700,000.00);

¹ Though Universal attempts to reserve its ability to file a Motion for Judgment as a Matter of Law, Universal's attempted reservation of this ability is DENIED. Universal's entire Motion to Enter Judgment is an attempt to set aside the jury verdict and award it damages as a matter of law. Accordingly, Universal's Motion for Judgment is actually a motion for judgment as a matter of law. As such, in denying Universal's Motion to Enter Judgment, the Court is denying Universal's arguments for an award of damages as a matter of law.

It is FURTHER ORDERED that Plaintiff Universal take nothing by way of its claims against Defendant Dalton given the offset between the two jury awards;

All Court costs are ADJUDGED against the party accruing them;

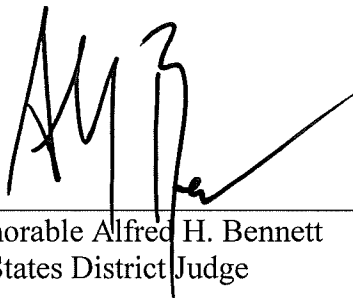
It is FURTHER ORDERED that this Judgment shall bear pre-judgment interest at the rate of 5% per annum, from July 2015, until the date this judgment was signed;

It is FURTHER ORDERED that this Judgment shall bear post-judgment interest at the maximum rate allowed by law from the date the judgment is signed until the judgment is paid.

Let execution issue.

It is so ORDERED.

10/30/17
Date


The Honorable Alfred H. Bennett
United States District Judge